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Remarks

Status of the Application

Claims 1-74 are pending with the entry of this amendment. Claims 75-89 are currently withdrawn from consideration as a non-elected restriction group. Claims 1-3, 9-10, 13, 15, 50, 53 and 57 are amended herein. These amendments introduce no new matter and support is replete throughout the specification. In particular, the amendment to claim 1 finds support at page 10, first full paragraph, page 21, first full paragraph, and pages 41-42, bridging paragraph. The amendment to claims 2, 9 and 15 find support at, for example, page 25, second full paragraph. The remaining claim amendments are directed to changes in claim dependency and providing proper antecedent basis for dependent claims. The amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with any objection or rejection of record.

The Objection to the Specification

The specification stands objected to because it includes a copyright authorization on page 1 with no copyright notification to identify that which is copyrighted work. Applicants respectfully do not agree that the rejection is proper, but in the interests of expediting prosecution, Applicants have deleted the copyright authorization statement.

The 35 U.S.C. § 112, Second Paragraph Rejections

Claims 1-74 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as their invention. In particular, in claim 1 it is stated to be unclear as to what is required by the language of subparagraph (d). Applicants have amended subparagraph (c) of claim 1 to specify that the transfer station comprises a pin tool, and subparagraph (d) to recite "a controller that comprises instructions that direct the pin tool to transfer an aliquot of a sample from a first sample container to an assay container after the first sample container is placed on the transfer station by a first robot in the first work perimeter and the assay container is placed on the transfer station by a second robot in the second work perimeter." Claims 9, 10, and 15 are also amended herein to address the concerns raised by the Examiner. Applicants believe that these amendments obviate this ground of rejection.

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The 35 U.S.C. § 103(a) Rejections

Claims 1-74 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Amano (US Patent No. 4,835,707) in view of Kedar (US 6,323,035), Ishibashi (US 5,087,423) and Styli (US Patent No. 5,985,214). Applicants respectfully submit that this rejection is obviated by the amendments made herein to claim 1.

Claim 1, as amended, recites that the claimed high throughput processing system includes at least one transfer station that includes a pin tool. The claimed system also includes a controller that directs the pin tool to transfer an aliquot of a sample from a first sample container to an assay container after the sample container is placed on the transfer station by a first robot and the assay container is placed on the transfer station by a second robot.


Amano does not provide any teaching of a high throughput processing system that includes a transfer station that uses a pin tool to transfer aliquots of samples from one container to another. Nor do any other of the cited references provide any such teaching. Because the cited references fail to teach all elements of Applicants' claim, claim 1 as amended is not *prima facie* obvious over the cited combination of references. Each of the remaining rejected claims depends from claim 1, so these claims are likewise not *prima facie* obvious over the cited references.

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Conclusion

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for examination. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned attorney at 858-812-1547.

Respectfully submitted,



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